



# Illinois' Firearms Restraining Order

A PREVENTION TOOL TO SUPPORT VETERANS

"My grandpa has struggled with depression since he was a young man in the military. My grandma is worried because he recently told her that she would be better off without him. I know he has many guns in his home. I'm worried he might try to hurt himself—what can I do?"

"I'm a caseworker for a veteran who has PTSD. He has recently been having violent outbursts. His family is concerned because he has several guns in his home. What advice can I give them to help protect themselves and others?"

## A NEW LAW CAN HELP!

Illinois' Firearms Restraining Order is a law that allows family members and law enforcement officers to obtain a court order to prevent an at-risk person from accessing firearms, and temporarily prohibits that person from purchasing or obtaining any new firearms. The firearm removal can last from 14 days to six months depending on the type of order. Orders can be renewed before it expires if the danger still exists.

**Note: If you or someone you know is in immediate danger, please contact local law enforcement or dial 911. Illinois' veteran crisis line is also available by calling 1-800 273-8255 and pressing 1.**

## WHO CAN REQUEST A FRO AND HOW DO YOU GET ONE?

Family members\* and law enforcement officers can file a petition to obtain a FRO with the Circuit Court in which the person to be restrained resides. If you're a professional working with veterans, you cannot petition directly for a FRO. However, if a client has risk factors such as an emotional crisis or dementia and is demonstrating signs of being dangerous such as suicidal ideation, aggression, public threats of violence, or is exhibiting other dangerous behaviors, you may consider contacting your local sheriff or police department, or advising a client's family member about the FRO. Educating veterans and families about the FRO can help reduce the potential for danger when a gun is present in the home of someone who is at risk of harming themselves or others.

*\*Includes spouse, parent, grandparent, child, or step-child of the respondent, or a person who shares a common dwelling with the respondent (roommates). See relationship code on FRO petition form<sup>1</sup> for all eligible relationship statuses.*

<sup>1</sup> <http://champaigncircuitclerk.org/wp-content/uploads/2019/01/Approved-FRO-Petition-01-18-19.pdf>

## A CIVIL ACTION

The FRO is a civil procedure, not a criminal one. The goal is to ensure safety and allow the subject of the FRO an opportunity to heal or stabilize. However, if the order is violated, the subject may be charged with a misdemeanor crime. Only when the order expires or is terminated may firearms and Firearm Owner Identification Card be returned to the restrained person.

### IMPORTANT FACTS ABOUT ILLINOIS' FRO

- If you think someone poses an immediate danger to themselves or others, you can file an emergency FRO, which can be served the same day.
- If the judge issues a six-month order, within three months before its expiration the petitioner may file a request for the renewal of the FRO with the court if the respondent of the FRO is still a risk to themselves or others.
- If someone is being threatened directly by a spouse, partner, or someone in their family or household, they may petition for other types of orders of protection. Visit ILOA<sup>2</sup> for more information.
- The VA's Rocky Mountain MIRECC for Suicide Prevention has a free consultation program that is now available to any clinician who works with any veteran at risk for suicide.
- Veterans and their loved ones can call 1-800-273-8255 (press 1) for advice or help at any time of day or night, regardless of whether they are in crisis, suicidal, or not.

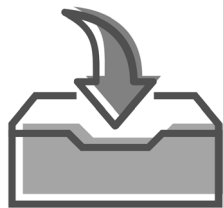
### DID YOU KNOW?

- On average, there are more than 6,000 Veteran suicides each year.<sup>3</sup>
- In 2016, 7 out of 10 Veteran suicides resulted from firearm injuries.<sup>3</sup>
- A recent study examined the results of a similar law in Connecticut and estimated that for every 10 to 20 orders removing firearms issued, at least one suicide was prevented.

### HOW CAN I SPREAD THE WORD ABOUT THE FRO TO SPEAK FOR SAFETY?



Contact your local Circuit Court office and ask if they have heard of the FRO.



Download our resources [Illinois.SpeakForSafety.org](https://www.illinois.speakforsafety.org).



Work within your agency or organization to ensure that your colleague know about the FRO as a tool to prevent gun violence

<sup>3</sup> [https://www.mentalhealth.va.gov/docs/data-sheets/OMHSP\\_National\\_Suicide\\_Data\\_Report\\_2005-2016\\_508.pdf](https://www.mentalhealth.va.gov/docs/data-sheets/OMHSP_National_Suicide_Data_Report_2005-2016_508.pdf)  
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